

90<sup>th</sup> Legislative Session – 2015

Committee: House Local Government

Thursday, February 19, 2015

P - Present  
E - Excused  
A - Absent

Roll Call

P Brunner  
P Craig  
P Greenfield (Lana)  
P Hawks  
P Heinemann (Leslie)  
P Marty  
P Qualm  
P Rozum  
P Schoenfish  
P Soli  
P Tulson  
P Otten (Herman), Vice-Chair  
P Conzet, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Kristin A. Conzet, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 17, 2015

Moved by: Heinemann (Leslie)  
Second by: Hawks  
Action: Prevailed by voice vote.

HB 1153: expand the definition of teleconference to include certain meetings conducted through electronic text colloquy and to require the retention of certain records of text colloquy meetings for public inspection.

Presented by: Representative Al Novstrup  
Proponents: Marty Jackley, Attorney General (Handouts: #1)

David Bordewyk, South Dakota Newspaper Assoc.  
Justin Smith, South Dakota Newspaper Association  
Opponents: Dick Tieszen, Associated School Boards of South Dakota

MOTION: AMEND HB 1153

1153ya

On page 3 of the printed bill, line 5, delete everything after "colloquy" and insert:

"are a public record and shall be maintained by the public body for a period of one year following the meeting if:

- (1) Official business within the jurisdiction of the public body is discussed; and
- (2) The teleconference meeting conducted by text colloquy includes at least a quorum of a public body or political subdivision.

Communication by text colloquy not meeting both of these standards are not a public record. The scheduling of any meeting or similar clerical communication does not constitute official business for purposes of this section."

On page 3, delete lines 6 to 8, inclusive.

Moved by: Otten (Herman)  
Second by: Craig  
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1153 AS AMENDED

Moved by: Soli  
Second by: Otten (Herman)  
Action: Prevailed by roll call vote. (11-2-0-0)

Voting Yes: Brunner, Craig, Greenfield (Lana), Hawks, Heinemann (Leslie), Marty, Qualm, Schoenfish, Soli, Tulson, Otten (Herman)

Voting No: Rozum, Conzet

HB 1154: limit the amount that may be charged for certain document requests.

Presented by: Representative Al Novstrup  
Proponents: Senator Bernie Hunhoff  
David Bordewyk, South Dakota Newspaper Association  
Opponents: Roger Tellinghuisen, SD Association of County Officials  
Emily Ward, Bureau of Finance & Management  
Nathan Lukkes, SD Board of Regents

MOTION: AMEND HB 1154

1154ya

On page 1, line 11, of the printed bill, after "hour" insert "per person".

Moved by: Tulson  
Second by: Hawks  
Action: Prevailed by voice vote.

MOTION: DEFER HB 1154 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Rozum  
Second by: Heinemann (Leslie)  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Brunner, Craig, Greenfield (Lana), Hawks, Heinemann (Leslie), Marty, Qualm, Rozum, Schoenfish, Soli, Tulson, Otten (Herman), Conzet

Gavel was passed to Vice-Chairman Herman D. Otten

HB 1201: revise certain provisions regarding planning and zoning.

Presented by: Representative G. Mark Mickelson  
Proponents: Matt Moeller, Wessington, self  
Dave Uttecht, Huron, self  
Todd Kays, Watertown, self (Handouts: #2)  
Brenda Forman, SD Cattlemen'S Association  
Brenda Forman, South Dakota Association of Cooperatives  
Brenda Forman, South Dakota Cattelman's Association  
Brenda Forman, South Dakota Dairy Producers  
Bob Wilcox, South Dakota Association of County Commissioners  
Yvonne Taylor, SD Municipal League  
Paul Kostboth, South Dakota Dept. of Agriculture

Opponents: Kathy Tyler, Self  
Katie Overvaag, Parker, self  
John Chicoine, Parker, self  
Sabrina King, Dakota Rural Action  
Debra W. Barta, Ree Heights, self  
Others: Representative Kent Peterson  
Angela Ehlers, SD Assoc. of Conservation Districts

MOTION: DO PASS HB 1201

Moved by: Rozum  
Second by: Craig  
Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Brunner, Craig, Heinemann (Leslie), Marty, Qualm, Rozum, Schoenfish, Tulson,  
Otten (Herman), Conzet

Voting No: Greenfield (Lana), Hawks, Soli

MOTION: ADJOURN

Moved by: Heinemann (Leslie)  
Second by: Craig  
Action: Prevailed by voice vote.

Glenda Woodburn  
Committee Secretary

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Kristin A. Conzet, Chair